

Sixth Appellate District

San Jose, California

MONDAY, NOVEMBER 20, 2006

H029590 PEOPLE v. MCKINLEY

The judgment is affirmed. The superior court is directed to prepare an amended abstract of judgment to reflect the imposition of a section 12022, subdivision(b)(1) enhancement, not a section 12022.7, subdivision (a) enhancement, as to Count Two. (not published)

(Mihara, J.; We concur: Bamattre-Manoukian, Acting P.J., McAdams, J.)

Filed November 20, 2006

H028989 PEOPLE v. BLAN

The judgment is affirmed. (not published)

(Rushing, P.J.; We concur: Premo, J., Elia, J.)

Filed November 20, 2006

H029528 CONRAD DELL'OCA, as Trustee, etc., et al. v. UBS SECURITIES LLC

The judgment is affirmed. (not published)

(Rushing, P.J.; We concur: Premo, J., Elia, J.)

Filed November 20, 2006

H028515 PEOPLE v. GUTIERREZ

The judgment is affirmed. The trial court is directed to correct the abstract of judgment to reflect that the enhancement on count 2 under Penal Code section 12022.7 is stayed. (not published)

(Rushing, P.J.; We concur: Premo, J., Elia, J.)

Filed November 20, 2006

H029369 PEOPLE v. RODRIGUEZ

The judgment is affirmed. (not published)

(Rushing, P.J.; We concur: Premo, J., Elia, J.)

Filed November 20, 2006

H029741 ROSENVICK, INC. v. MORTGAGETREE LENDING

The judgment is reversed and the matter is remanded to the trial court with directions to modify the judgment so that the total award to Rosenvick is in the amount of \$25,000. (not published)

(Rushing, P.J.; We concur: Premo, J., Elia, J.)

Filed November 20, 2006

H028910 PEOPLE v. WILSON

The judgment is affirmed. (not published)

(Bamattre-Manoukian, Acting P.J.; We concur: Mihara, J., McAdams, J.)

Filed November 20, 2006

Sixth Appellate District

San Jose, California

TUESDAY, NOVEMBER 21, 2006

H030196 PEOPLE v. HUNTER

The judgment is affirmed. (not published)
(Mihara, J.; We concur: Bamattre-Manoukian, Acting P.J., Duffy, J.)

Filed November 21, 2006

H029954 PEOPLE v. CELESTINO B.

The juvenile court's order is reversed, and the matter is remanded for the limited purpose of permitting the juvenile court to exercise its discretion to select between misdemeanor and felony treatment for the vandalism and gang involvement offenses. If the juvenile court elects to treat either or both offenses as misdemeanors, it shall recalculate the maximum time of confinement. Otherwise, it shall declare the offenses to be felonies and reinstate its original order. (not published)
(Elia, J.; We concur: Rushing, P.J., Premo, J.)

Filed November 21, 2006

H029552 CLAIRE, et al. v. CAREER MARKETING, INC.

The appeal from the September 6, 2005 attorney fees order is dismissed. The parties shall bear their own costs. (not published)

(Elia, J.; We concur: Rushing, P.J., Premo, J.)

Filed November 21, 2006

H028871 SHAHBAZI v. EQUILON ENTERPRISES, et al.

By the Court*:

Appellant's petition for rehearing is denied.

Filed: November 21, 2006

*Before Rushing, P.J., Premo, J. and Elia, J.

H029753 PEOPLE v. RUSSELL

The judgment is reversed. (published)
(McAdams, J.; We concur: Mihara, Acting P.J., Duffy, J.)

Filed November 21, 2006

H029661 MATEA v. WCAB and THE HOME DEPOT

The Board's opinion and order after reconsideration filed on September 23, 2005, is annulled. The matter is remanded to the Board with directions to issue a new and different order in the case consistent with this opinion. Matea shall recover costs. (published)

(Bamattre-Manoukian, Acting P.J.; We concur: Mihara, J., McAdams, J.)

Filed November 21, 2006

Sixth Appellate District

San Jose, California

Tuesday, November 21, 2006 (continued)

H023778 BIG CREEK LUMBER CO., et al. v. COUNTY OF SANTA CRUZ et al.

(Filed order modifying opinion.) The petition for rehearing is denied. There is a change in the disposition. (not published)

(McAdams, J., Elia, Acting P.J., Mihara, J.)

Filed November 21, 2006

WEDNESDAY, NOVEMBER 22, 2006

The following cases are submitted this date:

H030668 KATY S., et al. v. SUPERIOR COURT

H030160 PEOPLE v. JAMES M.

H030029 PEOPLE v. EDWARD B.

The appeal is dismissed as moot. (not published)

(Mihara, J.; We concur: Bamattre-Manoukian, Acting P.J., McAdams, J.)

Filed November 22, 2006

H029086 GIBBS, et al. v. TIFFIN, et al.

The judgment is affirmed. (not published)

(Elia, J.; We concur: Rushing, P.J., Premo, J.)

Filed November 22, 2006